

**Notice of Allowability**

Application No.

10/605,117

Examiner

Alexandra K Pechhold

Applicant(s)

ZIMMERLEE, JAMES D.

Art Unit

3671

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 12/15/04.
2. ☒ The allowed claim(s) is/are 2-9, 11, 12, and 14-17.
3. ☐ The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☒ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                     | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                    |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance              |
|   | 9. <input type="checkbox"/> Other _____.   |

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Charles Leeck on January 18, 2005.

The application has been amended as follows:

In line 1 of the Abstract, delete "Disclosed is" and replace "a" with "A".

Replace the claims filed 12/15/04 with the following claims:

1. (Cancelled)
2. (Currently amended) ~~A The pier system, according to claim 1, further comprising:~~  
  
a shelf beam having a side panel and a shelf member connected substantially along the length of the side panel;  
  
at least one support post, coupled to the side panel of the shelf beam;  
  
a decking unit capable of resting upon the shelf member of the shelf beam; and  
  
a sleeve axially slidable onto each support post, which is attached to the respective support post, and to which is attached the respective shelf beam.
3. (Currently amended) The pier system according to claim ~~1~~2, further comprising fasteners for coupling the side panel of each shelf beam to at least one support post.
4. (Currently amended) The pier system according to claim ~~1~~2, wherein the shelf beam is made of extruded aluminum.
5. (Currently amended) The pier system according to claim ~~1~~2, wherein the ratio of the length of the side panel above the shelf member to the length of the side panel below the shelf member is at least 1:1.

Art Unit: 3671

6. (Currently amended) The pier system according to claim ~~1~~2, wherein the ratio of the length of the side panel above the shelf member to the length of the side panel below the shelf member is at least 5:1.
7. (Currently amended) The pier system according to claim ~~1~~2, wherein the decking unit is substantially triangular.
8. (Currently amended) The pier system according to claim ~~1~~2, further comprising:  
  
a support bar coupled to the shelf members, which is capable of spanning the distance between two points on the shelf members of the beams; and  
  
a plurality of support bar fasteners for fixedly coupling the support bar to the shelf members.
9. (Currently amended) The pier system according to claim ~~1~~2, further comprising:  
  
an inverted truss having a main crossbeam coupled to the shelf members, the main crossbeam of which is capable of spanning the distance between two points on the shelf members of the beams; and  
  
a plurality of truss fasteners for fixedly coupling the truss to the shelf members.
10. (Cancelled)
11. (Original) The pier system according to claim 9, wherein the truss contains aluminum.

12. (Currently amended) The pier system according to claim 9, wherein the truss is in the shape of an isosceles triangle<sup>12</sup>; and  
  
the main crossbeam of the truss is perpendicularly, fixedly coupled to at least one support tie.

13. (Cancelled)

14. (Currently amended) A pier system, ~~according to claim 13, further~~ comprising:  
  
at least two shelf beams, each having a side panel and a shelf member connected substantially along the length of the side panel;  
  
at least two support posts, coupled to the side panel of each of the shelf beams;  
  
a decking unit capable of resting upon the shelf members of the at least two shelf beams;  
  
an inverted truss having a main crossbeam coupled to the shelf members, the main crossbeam of which is capable of spanning the distance between two points on the shelf members of the beams; and  
  
at least two decking units, wherein the first decking unit is substantially rectangular in shape and the second decking unit is substantially trapezoid in shape.

15. (Currently amended) A method of constructing a pier system, comprising:  
  
erecting a first pier frame by coupling at least two shelf beams to at least two support posts;

positioning a sleeve axially slidable onto each support post, which is attached to the respective support post, and to which is attached the respective shelf beam; and

positioning a first decking unit upon the first pier frame, whereby the first decking unit rests upon ~~the~~ at least a shelf members of the beams.

16. (Currently amended) The method according to claim ~~14~~15, further comprising:

coupling a second pier frame to the first pier frame, whereby the length of the pier system is extended by one module;

positioning a second decking unit upon the second pier frame; and

repeating the extension of pier frames and positioning of decking units until a pier system of desired size is achieved.

17. (Currently amended) The method according to claim ~~14~~15, wherein a flotation device is coupled to each pier frame and decking unit, whereby the flotation device buoys the shelf beams and decking unit.

18. (Cancelled)

19. (Cancelled)

20. (Cancelled)

Art Unit: 3671

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexandra Pechhold whose telephone number is (703) 305-0870. The examiner can normally be reached on Mon-Thurs. from 8:00am to 5:30pm and alternating Fridays from 8:00am to 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas B. Will, can be reached on (703)308-3870. The fax phone number for this Group is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-1113.



Thomas B. Will  
Supervisory Patent Examiner  
Group 3600

AKP  
1/18/05